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MEMO ENDORSED

August 7, 2008

Honorable P. Kevin Castel  
United States District Court Judge  
United States Courthouse  
500 Pearl Street  
New York, NY 10007-1312

Re: Estes Air Forwarding LLC, a Virginia Limited Liability Company  
v Ehrlich Food Co., Inc.  
Case No.: 08CV5553 (PKC)  
Our File #54045

Dear Judge Castel:

The above matter appears on Your Honor's calendar for Friday, August 8, 2008 at 11:00 a.m. for an initial pre-trial conference.

As I had explained to your staff member and who confirmed to me, that the ECF notification had not been received by me and that my email address was apparently not on the court's file. At this eleventh hour I have received a telephone call from an attorney who indicated that he had not yet been retained but a preliminary discussion resulted in a potential settlement of this matter, which will hopefully take place within the next few weeks. If not, then it is our intention to file a Proposed Case Management Plan with the court in advance of a rescheduled initial pre-trial conference.

Accordingly, it is respectfully requested that the initial pre-trial conference scheduled for Friday, August 8, 2008 at 11:00 a.m. be adjourned to a date and time convenient to the court.

Of course, if there is any question or concern, please do not hesitate to contact me. Thank you for your courtesies.

Very truly yours,

LESTER P. TAROFF

LPT/db

SENT VIA FACSIMILE TRANSMISSION: (212) 805-7949

*Conference  
adjourned  
from August 8 & E  
September 5, 2008 at 11:00a  
SO ORDERED  
J. D. Smith  
8-7-08*